

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 PM-07 INR-10 L-03 NSAE-00 PA-04

RSC-01 PRS-01 SP-03 USIA-15 TRSE-00 SAJ-01 SS-20

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R 090811Z MAY 74

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC 4000

SECDEF WASHDC

INFO JCS WASHDC

USMISSION NATO

DIRNSA WASHDC

OSAF/SAFUSI

CINCEUR

CINCUSAFE RAMSTEIN AB GERMANY

CSAF/XOXX

S E C R E T SECTION 1 OF 2 ANKARA 3515

EO 11652 XGDS-3 INDEFINITE

TAGS: MARR, TU

SUBJECT: I.A. NEGOTIATIONS MEETING MAY 3, 1974:

COMMUNICATIONS AND ELECTRONICS

REF: ANKARA 3307

1. SUMMARY: AT I.A. NEGOTIATIONS MEETING MAY 3, 1974, U.S. HANDED TURKS NEW DRAFTS FOR ARTICLES 5 AND 9 COMMUNICATIONS AND ELECTRONICS I.A. (C&E). TEXTS FOLLOW BELOW. TURKISH OBJECTIONS TO U.S. DRAFTS LED EACH SIDE TO SEEK NEW LANGUAGE. TURKS WILL REDRAFT ART. 5 AND PARA C. OF ART. 9. U.S. WILL REDRAFT PARA D. OF ART 9. TURKS QUESTIONED USE OF ANY AGREED MINUTES FOR I.A.'S OTHER THAN DIRECTLY QUOTED DCA AGREED MINUTES. U.S. REJECTED THIS VIEW AND REITERATED IS POSITION THAT AGREED MINUTES HAVE AT LEAST EQUAL STANDING WITH MAIN TEXT. END SUMMARY.

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2. AT I.A. MEETING MAY 3, U.S. PRESENTED TURKS WITH FOLLOWING

NEW DRAFT FOR ARTICLE 5: BEGIN QUOTE U.S. PROPOSAL
FOR ARTICLE 5 OF C & E WITH AGREED MINUTE. PARA
THE PURPOSE OF THE COMMUNICATIONS-ELECTRONICS COMMON
DEFENSE INSTALLATIONS/OPERATIONS ESTABLISHED IN ACCORDANCE
WITH THIS IMPLEMENTING AGREEMENT IS SHOWN BELOW AND THE
COMMUNICATIONS-ELECTRONICS INSTALLATIONS/OPERATIONS WILL
NOT BE USED FOR ANY PURPOSE OTHER THAN THE ONE DESIGNATED
IN THIS IMPLEMENTING AGREEMENT UNLESS OTHERWISE MUTUALLY
AGREED AND APPROVED BY THE GOVERNMENT OF THE REPUBLIC OF
TURKEY. THE PURPOSE IS TO ENSURE ADEQUATE U.S.
COMMUNICATIONS IN SUPPORT OF COMMON DEFENSE MEASURES IN
TURKEY AS DESCRIBED IN ANNEX PARA
AGREED MINUTE. PARA U.S. COMMUNICATIONS SUPPORT AS
DEFINED ABOVE INCLUDES COMMUNICATIONS LINKS BETWEEN U.S.
ELEMENTS IN TURKEY AND THEIR NATO OR NATIONAL COMMANDING
OR SUPPORTING UNITS AS REQUIRED. END QUOTE PARA
U.S. NOTED FIRST SENTENCE HAS BEEN AGREED SINCE 1971; SECOND
SENTENCE WAS IDENTICAL WITH LAST TURKISH DRAFT (REPORTED
REFTEL) AND AGREED MINUTE COVERED U.S. RIGHT TO COMMUNICATIONS
LINKS OUTSIDE OF TURKEY, WHICH WERE VERY IMPORTANT TO U.S.
TURKS OBJECTED TO AGREED MINUTE ON SUBSTANTIVE AND PROCEDURAL
GROUND AND ALSO CLAIMED IT WAS UNNECESSARY. THEY
CONTINUED TO ARGUE AGAINST ANY MENTION IN MAIN TEXT
OR EVEN IN AN AGREED MINUTE OF U.S. RIGHT TO HAVE LINKS
TO POINTS OUTSIDE TURKEY. SUCH LINKS WERE TO BE COVERED
IN ANNEXES AS IN THE DIAGRAM ON PAGE 1 OF APPENDIX B
TO ANNEX 2, PART I OF THE DRAFT C&E ANNEXES SUBMITTED BY
THE U.S. IN GKTE 1973 WHICH TURKS WERE STILL STUDYING.
ALL SUCH LINKS HAD TO BE APPROVED BY GOT AND WOULD BE SO
APPROVED WHEN U.S. SUBMITTED REQUEST FOR OUTSIDE LINKS
DRAWN UP IN FORM OF C&E ANNEX. TURKISH CHAIRMAN
(ASSISTANT DIRGEN INTERNATIONAL SECURITY AFFAIRS ASULA)
STATED HIS PERSONAL VIEW THAT ONLY OUTSIDE LINKS TO NATO
COMMANDS COULD BE APPROVED BUT HE WISHED TO LEAVE MATTER
OF ACTUAL APPROVAL OPEN FOR PRESENT, AND OBTAIN U.S.
AGREEMENT IN PRINCIPLE THAT GOT APPROVAL REQUIRED FOR ALL
OUTSIDE LINKS. U.S. STATED IT WAS PUZZLED BY TURKISH
OBJECTION TO MENTION OUTSIDE LINKS IN MAIN TEXT OR AGREED
MINUTE WHEN TURKS CLAIMED THEY ACCEPTED PRINCIPLE OF
U.S. HAVING OUTSIDE LINKS. U.S. THEN SUGGESTED DEFERRAL
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OF FURTHER DISCUSSION OF ART. 5 SINCE THERE HAD BEEN NO
DISCERNABLE PROGRESS TOWARD AGREEMENT. TURKS PREFERRED
TO PRESS ON AND VOLUNTEERED TO FORMULATE NEW DRAFT WHICH
WOULD COVER OUTSIDE LINKS AND WOULD INCLUDE STATEMENT THAT
SUCH LINKS REQUIRED GOT APPROVAL.

3. STATUS OF AGREED MINUTES - ARTICLE 5: TURKS HAD
PROCEDURAL OBJECTION TO U.S. AGREED MINUTE FOR ART. 5 (WHICH

THEY REPEATED WHEN REVIEWING NEW U.S. DRAFT FOR ART. 9).
THEY CLAIMED 1973 UNDERSTANDING ON USE OF AGREED MINUTES
FOR I.A.'S WAS LIMITED TO USE OF DCA AGREED MINUTES ONLY
IN DIRECT QUOTATION AND THEN ONLY WITH RELATED MAIN TEXT
OF DCA INCLUDED IN MAIN TEXT OF I.A. TURKS REITERATED
VIEW THAT EXCHANGE OF LETTERS ON DCA AGREED MINUTES WAS
AUTHORITATIVE STATEMENT ON STATUS AGREED MINUTES VIS-A-VIS
MAIN TEXT. U.S. IN TURN REITERATED ITS VIEW THAT AGREED
MINUTES HAVE AT LEAST EQUAL STANDING WITH MAIN TEXT.
U.S. CHAIRMAN (MSA COUNSELOR BOEHM) POINTED OUT THAT
AGREEMENT ON USE OF AGREED MINUTES FOR I.A.'S
IN 1973 HAD BEEN MUCH BROADER THAN THAT SUGGESTED BY TURKS
NOW.

4. ARTICLE 9: U.S. PRESENTED FOLLOWING NEW TEXT FOR
PARAS C. AND D.: BEGIN QUOTE U.S. PROPOSAL FOR
ARTICLE 9 OF C&E - PARAGRAPHS C. AND D. WITH AGREED
MINUTE PARA C. THE COMMUNICATIONS-ELECTRONICS ACTIVITIES
OF THE COMMON DEFENSE INSTALLATIONS SHOULD NOT INTERFERE
WITH THE QACTIVITIES OF OTHER TURKISH AND NATO COMMUNICATIONS-
ELECTRONICS ACTIVITIES. SHOULD INTERFERENCE OCCUR, ALL
NECESSARY MEASURES WILL BE TAKEN TO ELIMINATE SUCH
INTERFERENCE. PARA. AGREED MINUTE. THE PURPOSE OF
ARTICLE 9, PARAGRAPH C. OF THIS AGREEMENT IS TO ENSURE
THAT EACH PARTY WILL TAKE ALL PRACTICABLE MEASURES TO ELIMINATE
ANY INTERFERENCE CAUSED BY THEIR ACTIVITIES WITH ACTIVITIES
OF OTHER LOCAL INSTALLATIONS. WHEN PROBLEMS CAUSED BY
INTERFERENCE CANNOT BE RESOLVED LOCALLY, THE MATTER WILL
BE PROCESSED IN ACCORDANCE WITH THE PROVISIONS OF THE AGREE-
MENT. END AGREED MINUTE. SHOULD HARMFUL FREQUENCY INTERFERENCE
OCCUR AS A RESULT OF MODERNIZATION, STREMLINING OR CHANGES IN
COMMON DEFENSE COMMUNICATIONS-ELECTRONICS INSTALLATIONS

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INFO OCT-01 ISO-00 CIAE-00 PM-07 INR-10 L-03 NSAE-00 PA-04

RSC-01 PRS-01 SP-03 USIA-15 TRSE-00 SAJ-01 SS-20

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R 090811Z MAY 74

FM AMEMBASSY ANKARA
TO SECSTATE WASHDC 4001
SECDEF WASHDC
INFO JCS WASHDC
USMISSION NATO
DIRNSA WASHDC
CSAF/XOXX
OSAF/SAFUSI
CINCEUR
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AND OPERATIONS IN ACCORDANCE WITH THE PERTINENT ARTICLES
OF THIS AGREEMENT, ALL NATO AND TURKISH COMMUNICATIONS-
ELECTRONICS INSTALLATIONS AND SYSTEMS WILL BE GIVEN PRIORITY

FOR CONTINUING THEIR ACTIVITIES UNTIL A FINAL SOLUTION

IS FOUND ON SUCH HARMFUL INTERFERENCE. IN CASE THE HARMFUL
MAINTERFERENCE FROM A COMMON DEFENSE INSTALLATION CANNOT BE
ELIMINATED THROUGH THE MEASURES TO BE TAKEN,
THE LOCATION OF THE COMMON DEFENSE INSTALLATION WILL BE
CHANGED OR ITS INTERFERING ACTIVITY WILL BE ENDED. PARA.
D. FOR THOSE SYSTEMS WHICH HAVE CIRCUITS ALLOCATED TO THE

TURKISH ARMED FORCES, U.S. TERMINAL ENDS WILL BE
OPERATED BY THE U.S. FORCES, AND THE TURKISH TERMINAL ENDS
BY THE TURKISH FORCES. TO INSURE CONTINUOUS OPERATION
OF THESE CIRCUITS, A COMMITTEE COMPOSED OF PERSONNEL
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DESIGNATED BY TGS AND JUSMMAT WILL BE FORMED TO
MONITOR MAINTENANCE AND OPERATIONAL PROCEDURES AND TO
SOLVE PROBLEMS. THE CIRCUITS MADE AVAILABLE TO THE TURKISH
ARMEDHRCES WILL BE MAINTAINED AT AN OPERAIONAL
QUALITY AND AVAILABILITY LEVEL EQUAL TO THE U.S. CIRCUITS.
PARA. NO CHANGES HAVE ANY EFFECT ON CIRCUITS ALLOCATED
TO THE TURKISH ARMED FORCES, INCLUDING TERMINAL EQUIPMENT
SUPPLIED BY THE U.S. AND PROPERTY OF THE TURKISH
GOVERNMENT, SERVICING THE TGS AND TAF, WILL BE BROUGHT

TO U.S. COMMUNICATIONS-ELECTRONICS SYSTEMS IN TURKEY
WITHOUT PRIOR NOTICE AND APPROVAL BY THE COMPETENT

AUTHORITIES OF THE GOVERNMENT OF THE REPUBLIC OF TURKEY.
THE TERM "TERMINAL EQUIPMENT" AS USED HEREIN INCLUDES
THE EQUIPMENT, LINKS, APPARATUS, TESTING EQUIPMENT AND

SPECIAL TOOLS REQUIRED BY THE TURKISH COMMUNICATIONS
TERMINAL ENDS, OPERATED BY THE TURKISH ARMED FORCES.
END QUOTE

U.S. POINTED OUT THAT FIRST PARAGRAPH OF C. NEARLY
IDENTICAL WITH THAT OF TURKISH PROPOSAL (REPORTED REFTEL),
BUT WITH AGREED MINUTE DERIVED FROM AGREED MINUTE TO
DCA ART. XII. NEXT PARAGRAPH UNDER C. WAS IDENTICAL
TO FINAL TWO PARAGRAPHS OF C. IN LATEST TURKISH DRAFT.
WORD "EXISTING", WHICH TURKS HAD TROUBLE WITH, HAD

BEEN ELIMINATED. FIRST PARAGRAPH OF D. WAS TAKEN FROM
U.S. DRAFT OF APRIL 12, 1974 (REPORTED ANKARA 2908) AND
FINAL PARAGRAPH WAS NEW FORMULATION TAKING INTO ACCOUNT
TURKISH OBJECTIONS TO LAST U.S. DRAFT. TURKS AGAIN
OBJECTED PROCEDURALLY TO U.S. AGREED MINUTE EVEN THOUGH
SIMILAR TO THAT OF ART. XII DCA. THEY INDICATED THEY
COULD ACCEPT AN AGREED MINUTE IF THE MAIN TEXT OF ART. XII
WERE INCORPORATED IN PARA C. OF ART 9 OF THE I.A. AND THE
AGREED MINUTE THERETO QUOTED VERBATIM. U.S.
INDICATED THAT COULD BE ACCEPTED APPROACH IN THIS CASE.
SUBSTANTIVELY, TURKS OBJECTED TO IDEA OF PARITY IN THAT
BOTH PARTIES HAD RESPONSIBILITY TO ELIMINATE INTEGZNRENCE
AND NOT JUST U.S. (SECOND SENTENCE FIRST PARA OF C.).
THEY OBJECTED TO U.S. CONTINUING TO SPEAK OF "CIRCUITS
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ALLOCATED TO THE TURKISH ARMED FORCES" INSTEAD OF TURKISH

LANGUAGE WHICH INDICATED TURKISH-USED PORTION OF C&E
SYSTEMS WERE TO BE CONSIDERED INTEGRAL PART OF ENTIRE SYSTEM
AND MAINTAINED AND MODERNIZED BY U.S. AT U.S. EXPENSE
WHENEVER MAINTENANCE OR MODERNIZATION CARRIED OUT ON U.S.-
USED PORTION. U.S. REITERATED DIFFICULTY WITH ACCEPTANCE SUCH
LANGUAGE WHEN FUNDING ARRANGEMENTS WERE LEFT UNSTATED,
AND SUGGESTED THAT TURKISH LANGUAGE COULD BE USED IF FINAL
PARAGRAPH ART 9 FROM JUNE 14, 1971, DRAFT ON U.S.
MODERNIZATION OF TURKISH TERMINALS UNDER MAP, WERE
ACCEPTED AS AGREED MINUTE TO PARA D., ART 9. TURKS
INDICATED THEY COULD NOT ACCEPT REFERENCE TO MAP. THEY
HAD HOPED U.S. DRAFT WOULD ALLOW INCLUSION OF CLAUSE
ON PRINCIPLE JOINT OPERATIONS AND USE OF FACILITIES AS AELL
AS INSTALLATIONS AND WOULD BE MORE SPECIFIC ON U.S.
COMMITMENT TO MDERNIZE TURKISH TERMINALS WHEN
MODERNIZING ITS OWN. U.S. REMINDED TURKS OF AGREE-
MENT TO DEFER FURTHER DISCUSSION ON DIFFERENCES ON PRINCIPLE
OF JOINT OPERATIONS AND USE UNTIL AFTER RESOLUTION ART 9.
AGREEMENT REACHED THAT TURKS WOULD PRODUCE NEW DRAFT
ON PARAGRAPH C. AND U.S. WOULD REDRAFT D. SUBPARAGRAPHS
WILL DE NUMBERED IN NEW DRAFTS FOR CLARITY.

5. COMMENT: WE WILL PRODUCE NEW DRAFT AS INDICATED
ABOVE BUT DO NOT BELIEVE ANY LANGUAGE CAN PAPER OVER BASIC
DIFFERENCE BETWEEN TURKS AND U.S. ON WHAT SUPPORT U.S. WILL
PROVIDE TO TURKISH C&E SYSTEMS. WE MAY HAVE BETTER LUCK
IN RESOLVING INTERFERENCE ISSUE UNDER PARA C. BY INSERTION
PURE DCA LANGUAGE FROM ART XII AND ITS AGREED
MINUTE. OUTSIDE LINKS ISSUE IN ART 5 SEEMS TO TURN ON
TURKISH DESIRE TO LIMIT AND CONTROL NUMBER OF SUCH LINKS,
AND TO REVIEW ONE BY ONE ALL LINKS AS C&E
ANNEXES ARE COMPLETED.
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